

**REMARKS:**

Careful consideration has been given to the Official Action of October 20, 2008 and reconsideration of the application as amended is requested.

**Information Disclosure Statement**

Submitted herewith is an Information Disclosure Statement citing the references (English equivalents where available and translation) discussed in the Background of the Invention.

**Drawings**

To overcome the Examiner's drawings objection, submitted herewith is a replacement drawing sheet in which Figs. 9 and 10 are labeled as prior art.

**Specification**

Paragraphs [0003], [0005], and [0006] have been amended to refer directly to the documents.

The abstract has been amended to comply with MPEP 608.01(b).

**Claim objections**

The typographical error (frame instead of flame) has been corrected in claims 1 and 2 to overcome the claim objections.

### **Claim Rejections - 35 USC 102**

Claims 1-10 stand rejected under 35 USC 102(b) as being allegedly anticipated by Yoshihara.

In response, claims 1 and 2 have been amended to distinguish more clearly over the cited reference as will be discussed later.

Claims 1-10 have also been amended to be in better form.

The claims as now presented provides a poured molten metal quantity control device which includes a number of features that are not taught or suggested in Yoshihara. Those distinguishing features include:

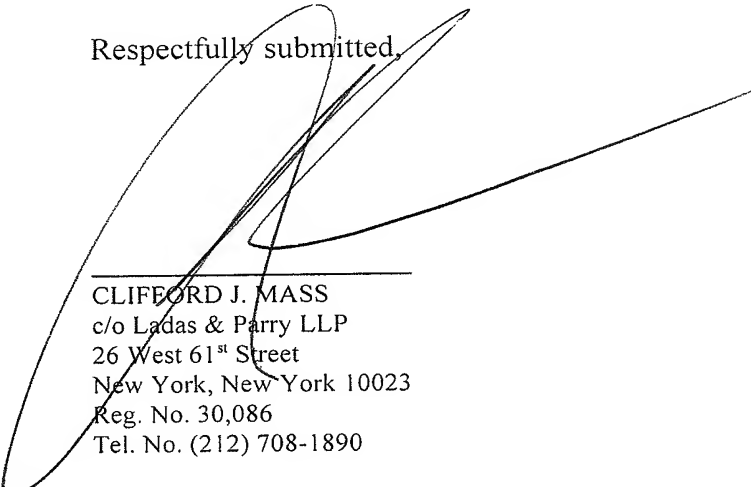
1. The frame can be opened and closed through the pivotal hinge independently of the turning of the outer race with the extendable unit.
2. The frame does not need to be decoupled from the driving side every time when the brick position is reversed, thereby eliminating the troublesome work associated therewith.
3. The position of the support pivot, the distance between the support pivot and the center of rotation, the radius of the turn of the outer race, and the entire stroke of the extendable unit are selected so that a turn angle is set at the start position to generate at least 90% of a maximum value of the ratio of a component force effective for the turn torque to an axial output of the extendable unit (see the discussion of Embodiment 3 in paragraphs 0035-0037).

It is respectfully submitted that Yoshihara does not teach or suggest the above

features. Therefore, the claimed invention is distinguished over Yoshihara.

In view of the above action and comments, it is respectfully submitted that the application is in condition for allowance and early notice thereof is earnestly solicited.

Respectfully submitted,



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